

By: Nelson

S.B. No. 532

A BILL TO BE ENTITLED

AN ACT

relating to information collected about and purchases of information technology by governmental entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.139(b), Government Code, is amended to read as follows:

(b) The following information is confidential:

(1) a computer network vulnerability report;

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use; ~~and~~

(3) a photocopy or other copy of an identification badge issued to an official or employee of a governmental body; and

(4) information collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate a security incident related to computerized data.

SECTION 2. Subchapter C, Chapter 2054, Government Code, is amended by adding Section 2054.068 to read as follows:

1 Sec. 2054.068. INFORMATION TECHNOLOGY INFRASTRUCTURE
2 REPORT. (a) In this section, "information technology" includes
3 information resources and information resources technologies.

4 (b) The department shall collect from each state agency
5 information on the status and condition of the agency's information
6 technology infrastructure, including information regarding:

7 (1) the agency's information security program;

8 (2) an inventory of the agency's servers, mainframes,
9 and other information technology equipment;

10 (3) identification of vendors that operate and manage
11 the agency's information technology infrastructure; and

12 (4) any additional related information requested by
13 the department.

14 (c) A state agency shall provide the information required by
15 Subsection (b) to the department according to a schedule determined
16 by the department.

17 (d) Not later than November 15 of each even-numbered year,
18 the department shall submit to the governor, chair of the house
19 appropriations committee, chair of the senate finance committee,
20 speaker of the house of representatives, lieutenant governor, and
21 staff of the Legislative Budget Board a consolidated report of the
22 information submitted by state agencies under Subsection (b).

23 (e) The consolidated report required by Subsection (d)
24 must:

25 (1) include an analysis and assessment of each state
26 agency's security and operational risks; and

27 (2) for a state agency found to be at higher security

1 and operational risks, include a detailed analysis of the
2 requirements for the agency to address the risks and related
3 vulnerabilities and the cost estimates to implement those
4 requirements.

5 (f) With the exception of information that is confidential
6 under Chapter 552, including Section 552.139, or other state or
7 federal law, the consolidated report submitted under Subsection (d)
8 is public information and must be released or made available to the
9 public on request. A state agency may withhold information
10 confidential under Chapter 552, including Section 552.139, or other
11 state or federal law that is contained in a consolidated report
12 released under this subsection without requesting a decision from
13 the attorney general under Subchapter G, Chapter 552.

14 (g) This section does not apply to an institution of higher
15 education or university system, as defined by Section 61.003,
16 Education Code.

17 SECTION 3. Section 2054.0965(a), Government Code, is
18 amended to read as follows:

19 (a) Not later than March 31 [~~December 1~~] of each
20 even-numbered [~~odd-numbered~~] year, a state agency shall complete a
21 review of the operational aspects of the agency's information
22 resources deployment following instructions developed by the
23 department.

24 SECTION 4. Section 2157.007, Government Code, is amended by
25 amending Subsection (b) and adding Subsection (e) to read as
26 follows:

27 (b) A state agency shall [~~may~~] consider cloud computing

1 service options, including any cost savings associated with
2 purchasing those service options from a cloud computing service
3 provider and from a statewide technology center established by the
4 department, when making purchases for a major information resources
5 project under Section 2054.118.

6 (e) Not later than November 15 of each even-numbered year,
7 the department, using existing resources, shall submit a report to
8 the governor, lieutenant governor, and speaker of the house of
9 representatives on the use of cloud computing service options by
10 state agencies. The report must include use cases that provided
11 cost savings and other benefits, including security enhancements.
12 A state agency shall cooperate with the department in the creation
13 of the report by providing timely and accurate information and any
14 assistance required by the department.

15 SECTION 5. Section 552.139(b), Government Code, as amended
16 by this Act, applies only to a request for public information
17 received on or after the effective date of this Act. A request
18 received before the effective date of this Act is governed by the
19 law in effect when the request was received, and the former law is
20 continued in effect for that purpose.

21 SECTION 6. This Act takes effect September 1, 2017.